



DEPARTMENT OF THE NAVY
NAVAL UNDERSEA WARFARE CENTER DIVISION
610 DOWELL STREET
KEYPORT, WASHINGTON 98345-7610

5720
00L/002

Dean R. Fuchs
Schulten Ward Turner & Weiss, LLP
260 Peachtree Street, NW Suite 2700
Atlanta, GA

Subj: PARTIAL DENIAL OF FREEDOM OF INFORMATION ACT REQUEST DON-NAVY-2022-010597

Dear Mr. Fuchs:

This letter is in response to your Freedom of Information Act (FOIA) request dated July 18, 2022, for information pertaining to “[d]ocuments evidencing any monies Agency owes or is payable to Resurgens Risk Management, Inc. (Atlanta, GA) (TIN 582450973).”

Review of the requested documents reveals that they are partially exempt from disclosure under the FOIA. Exemption (b)(4) protects trade secrets and commercial or financial information obtained from a person that is privileged or confidential. My review included consideration of the “foreseeable harm standard” (i.e., that information which might technically fall within an exemption should not be withheld from a FOIA requester unless the agency can identify a foreseeable harm or legal bar to disclosure. In this case, the redacted information protects the trade secrets and commercial or financial information provided by the contractor. Disclosure of such could negatively affect their ability to conduct business and harm their competitiveness.

Fees incurred during the processing of your request amount to \$36.00 for .25 hours of search, and .5 hours of review. Accordingly, please forward a check or money order, payable to the Treasurer of the United States, for the stated amount, to this office within 30 calendar days from the date of this correspondence.

You have the right to an administrative appeal. It must be received within 90 calendar days from the date of this letter. Please attach a copy of your initial request and amended request, a copy of this letter, and mark the appeal letter and envelope "Freedom of Information Act Appeal." Mail your appeal to:

Department of the Navy,
Office of the General Counsel,
1000 Navy Pentagon, Room 4E635, Washington, DC
20350-1000

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Please send a copy of your appeal to the Naval Undersea Warfare Center, Keyport, FOIA Coordinator, 610 Dowell Street, Keyport, WA 98345-7610. You are encouraged to provide an explanation why you believe the redactions were inappropriate or our search was inadequate.

If you have any questions, please contact the FOIA Coordinator at andrew.j.phillips1@navy.mil and (360) 396-2785. You may also contact the DON FOIA Public Liaison, Christopher Julka, at christopher.a.julka@navy.mil, (703)697-0037.

Sincerely,

R. M. JUSKO
Counsel

ZCN Navy SPS contra... 4530961393		Vendor	10433177 RESURGENS RISK M...	Doc. date	12/12/2018					
Delivery/Invoice		Conditions	Texts	Address	Communication	Partners	Additional Data	Org. Data	Status	Customer Data
 Active	Ordered		(b) (4)							
 Sent	Delivered									
 Partially Delivered	Still to deliv.		19,909.59 USD							
 Partially Invoiced	Invoiced		(b) (4)							
	Down paymts									